

# SHAW KELLER

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**VIA CM/ECF & HAND DELIVERY**

The Honorable Christopher J. Burke  
J. Caleb Boggs Federal Building  
844 N. King Street, Unit 28, Room 2325  
Wilmington, DE 19801-3555

RE: *National Steel Car Limited v. FreightCar America, Inc. et. al.*  
C.A. No. 24-594-JLH-CJB

Dear Judge Burke:

Pursuant to Paragraph 14 of the Scheduling Order (D.I. 38), the parties, Plaintiff National Steel Car Limited (“NSC”) and Defendants FreightCar America, Inc., FreightCar North America, LLC, JAC Operations, Inc. and FCA-FASEMEX, LLC (“FreightCar America”), respectfully submit this joint letter regarding the *Markman* hearing in the above-referenced case.

- (i) The parties do not request leave to present testimony.
- (ii) The parties request 45 minutes per side (total).
- (iii) The parties intend that, for each term, NSC will present first, FreightCar America will respond, NSC will rebut, and FreightCar America will offer their further rebuttal. The parties intend to present the claim terms at issue in the following order:
  - 1. “sloped side sheet” (’892 Patent, claims 6, 7; ’515 Patent, claim 43)
  - 2. “shear plate extending...” (’515 Patent, claims 1, 7, 18, 20, 24, 32)
  - 3. “flat bar” or “made of flat bar” (’892 Patent, claim 15).

Respectfully submitted,

/s/ Lindsey M. Gellar

Lindsey M. Gellar (No. 7202)

cc: Clerk of the Court (via CM/ECF & Hand Delivery)  
All Counsel of Record (via CM/ECF & Email)